

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x
:

UNITED STATES OF AMERICA

- v. -

DAVID VILLANUEVA,

Defendant.

: CONSENT PRELIMINARY ORDER
OF FORFEITURE/
: MONEY JUDGMENT
: S4 16 Cr. 342 (SHS)

- - - - - x

WHEREAS, on or about February 3, 2017, DAVID VILLANUEVA (the "defendant"), was charged in Superseding Information, S4 16 Cr. 342 (SHS) (the "Information"), with conspiracy to commit bribery, in violation of Title 18, United States Code, Section 371 (Count One); four counts of bribery, in violation of Title 18, United States Code, Section 666(a)(1)(B) and 2 (Counts Two through Five); and making false statements, in violation of Title 18, United States Code, Section 1001 (Count Six);

WHEREAS, the Information included a forfeiture allegation as to Counts One through Five, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), of any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses;

WHEREAS, on or about February 3, 2017, the defendant pled guilty to Counts One through Six of the Information, pursuant to a plea agreement with the Government, wherein the defendant admitted the forfeiture allegations with respect to Counts One through Five and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), a sum of money equal to \$75,000, constituting the amount of the proceeds obtained by the defendant from the offenses;

WHEREAS, the defendant consents to the entry of a money judgment in the amount of \$75,000 in United States currency, constituting the amount of the proceeds obtained by the defendant from the offenses; and

WHEREAS, the defendant admits that, as a result of acts and/or omissions of the defendant, the proceeds traceable to the offenses charged in Counts One through Five of the Information cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Geoffrey S. Berman, United States Attorney, Assistant United States Attorneys, Paul Monteleoni and Kimberly Ravener, of counsel, and the defendant, and his counsel, Andrew C. Quinn, Esq., that:

1. As a result of the offenses charged in Counts One through Five of the Information, to which the defendant pled guilty, a money judgment in the amount of \$75,000 in United States currency (the "Money Judgment") shall be entered, constituting the amount of the proceeds obtained by the defendant from the offenses.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the defendant, DAVID VILLANUEVA, and shall be deemed part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payment on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to 21 U.S.C. § 853(p), the United States is authorized to seek forfeiture of substitute assets of the defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

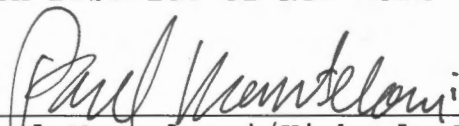
8. The Clerk of the Court shall forward three certified copies of this Consent Preliminary Order of Forfeiture/Money Judgment to Assistant United States Attorney Alexander J. Wilson, Co-Chief of the Money Laundering and Transnational Criminal Enterprises Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

9. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

GEOFFREY S. BERMAN
United States Attorney for the
Southern District of New York

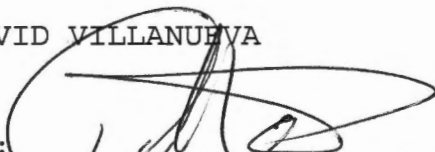
By:


Paul Monteleoni/Kimberly Ravener
Assistant United States Attorneys
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2219/2358

6/12/19
DATE


DAVID VILLANUEVA

By:


DAVID VILLANUEVA

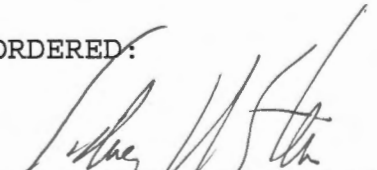
6/12/19
DATE

By:


ANDREW C. QUINN, ESQ.
Attorney for Defendant
The Quinn Law Firm
399 Knollwood Road, Suite 220
White Plains, NY 10603

6/12/19
DATE

SO ORDERED:


HONORABLE SIDNEY H. STEIN
UNITED STATES DISTRICT JUDGE

June 12, 2019
DATE